

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF OHIO
WESTERN DIVISION

Nintendo of America,

Case No. 3:20cv1076

Plaintiff,

-vs-

NOTICE
CASE MANAGEMENT CONFERENCE

Dilts, et al.,

Judge Jeffrey J. Helmick

Defendant.

This case is subject to the provisions of Local Civil Rule 16.1 of the Northern District of Ohio entitled “Differentiated Case Management” (DCM). Counsel are expected to familiarize themselves with any applicable Local Civil Rules and Federal Rules of Civil Procedure.

On evaluation of the case, it shall be assigned in accordance with LCivR 16.1 to one of the case management tracks defined in LCivR 16.2(a). Each track (expedited, standard, complex, mass tort and administrative) has its own guidelines and time lines governing discovery, motion practice and trial.

Unless otherwise ordered, discovery shall be guided by LCivR 26.1 *et seq.* and motion practice shall be guided by LCivR 7.1 *et seq.*

More detail on Judge Helmick’s case management practices and trial procedures can be found at the Court’s website: www.ohnd.uscourts.gov.

SCHEDULING OF CASE MANAGEMENT CONFERENCE

The Case Management Conference (CMC) shall be held on **September 8, 2020 at 3:00 p.m.** before Judge Jeffrey J. Helmick.

If prior to the CMC, the parties have engaged in settlement discussions, or anticipate or desire doing so at the CMC, counsel should notify Chambers at (419) 213-5690, so that either sufficient time will be available on the date for the CMC, as set herein, or another date and time for the CMC can be set.

Counsel to call the bridge line at 877-411-9748, access code 1231873. Parties are not required to attend the conference.

If the case is resolved prior to the CMC, counsel shall timely notify the Judge's Chambers.

TRACK RECOMMENDATION

Pursuant to LCivR 16.2(a), and subject to further discussion at the CMC, the Court recommends the following track: standard.

APPLICATION OF FEDERAL CIVIL RULE 26(a)

Rule 26(a) mandates required disclosures in lieu of discovery requests unless otherwise stipulated or directed by order of the court or by local rule. In this case, all disclosures mandated by Rule 26(a) shall apply, including Initial Disclosures, Expert Testimony, and Pre-Trial Disclosures. If not exchanged not later than ten days before the CMC, the disclosure shall occur on or before a date agreed to by all counsel. Failing agreement, the date for disclosures will be set at the CMC.

Prior to the CMC, parties may undertake such informal or formal discovery as mutually agreed. Absent such agreement, no preliminary formal discovery may be conducted prior to the CMC except as necessary and appropriate to support or defend against any challenges to jurisdiction or claim for emergency, temporary, or preliminary relief, or as may otherwise be ordered on motion.

Local Civil Rule 30.1 governs the conduct of depositions. Counsel shall comply with this Rule.

PREPARATION FOR CMC BY COUNSEL

The general agenda for the CMC is set by LCivR 16.3(b).

Counsel for plaintiff shall arrange with opposing counsel to hold the meeting required by Fed. R. Civ. P. 26(f) and LCivR 16.3(b). A Report, in substantially the form of Attachment 1, shall be filed electronically at least **ONE WEEK** before to the CMC.

FILING OF DISCOVERY MATERIALS

Unless otherwise ordered, initial disclosures, discovery materials shall not be filed with the Clerk, except where submitted as evidence in support of a motion or for use at trial.

Sandy Opacich
Clerk of Court

s/ Amy L. Schroeder
Courtroom Deputy for Judge Jeffrey J. Helmick